UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/750,087	12/31/2003	Michael Thomas Spoltore	H0006017-0555	1901

7590 10/02/2006	EXAMINER

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EXAMINER
NGUYEN, HUNG T

ART UNIT	PAPER NUMBER
2612	

DATE MAILED: 10/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>05 June 2006</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>40-78</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>40-78</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>31 December 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   An Appeal filed on June 05, 2006 have been considered in the following.

2.   The Final Rejection mailed on January 03, 2006 is removed after further consideration of the claims and newly cited art and the NEW Final Rejection with new ground of rejections has been included to respond to new claims 40-78 filed on November 09, 2005 after applicant cancelled claims 1-39.

3.   In the future, Applicant is reminded to use new rules regarding the format for Appeal Briefs 37 CFR 41.37.

4.   In view of Appeal Brief filed on June 05, 2006, PROSECUTION IS HEREBY REOPENED. New ground(s) of rejection are set forth in this ACTION.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filling a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and

appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth

in 37 CFR 41.20 have been increased since they were previously paid, then appellant

must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by

signing below:

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by
another filed in the United States before the invention by the applicant for patent or (2) a patent
granted on an application for patent by another filed in the United States before the invention by the
applicant for patent, except that an international application filed under the treaty defined in section
351(a) shall have the effects for purposes of this subsection of an application filed in the United States
only if the international application designated the United States and was published under Article 21(2)
of such treaty in the English language.

6.   Claims 40-43, 48, 51, 56-62 & 67-78 are rejected under 35 U.S.C. 102(e) as

being anticipated by Kimmel et al. (U.S. 6,917,288).

Regarding claim 40, Kimmel discloses a security network system (207) having a screen

display (100) for providing assistance to emergency personnels as firefighters, polices,

law enforcements to enter precise location or room numbers (3,19), area can be

identified in a building (102), school to rescue people, individuals when fire or smoke or

intruders (106,108), chemical is sensed in that monitored location [figs. 1,4-6,14, col.4, lines 30-39, col.10, lines 12-30 and col.17, lines 9-27] comprising:

- means for detecting and tracking presence of personnel having RFID tag by a RFID reader (1405), including number of people in each subspace or intruders (106,108) within a protected premises (3,19) at a real time location which can be seen on the display monitor (100,800) so rescue personnel would know in advance whether, in a building that is on fire, there were people in a particular room so that the rescue personnel could direct their efforts to where they were actually needed [figs. 1,8,14, col.4, lines 30-39, col.5, lines 7-24 and col.16, lines 35-41 and line 63 to col.17, line 27];

- the security network system (202,204,207) having memory device / hard disk (406,508,608) for storing and showing the presence of personnel having RFID tag by a RFID reader (1405), including number of people in each subspace or intruders (106,108) within a protected premises (3,19) at a real time location which can be seen on the display monitor (100,512,800) so rescue personnel would know in advance whether, in a building that is on fire, there were people in a particular room so that the rescue personnel could direct their efforts to where they were actually needed [figs.1,4-6,8,14, col.9, line 33 to col.10, line 30]; and

- subsequently detecting an imminently threat from fire or smoke [col.3, lines 1-5 and col.5, lines 25-28] and displaying (100) the location of personnels, individuals, people within protected area [col.4, lines 30-39, col.5, lines 7-24 and col.16, line 63 to col.17, line 53].

Regarding claims 41-43, Kimmel discloses the security network system (202,204,207) having memory device / hard disk (406,508,608) for storing and showing the presence of personnel having RFID tag by a RFID reader (1405), including number of people in each subspace or intruders (106,108) within a protected premises (3,19) at a real time location which can be seen on the display monitor (100,512,800) so rescue personnel would know in advance whether, in a building that is on fire, there were people in a particular room so that the rescue personnel could direct their efforts to where they were actually needed [figs. 1,4-6,8,14, col.9, line 33 to col.10, line 30].

Regarding claims 48, Kimmel discloses the security network having a screen display (100) for providing assistance to emergency personnels as firefighters, polices, law enforcements to enter precise location or room numbers (3,19), area can be identified in a building (102), school to rescue people, individuals when fire or smoke or temperature sensors (1301-1305), chemical is sensed in that monitored location are over the thresholds [figs.1,13, col.14, lines 13-22 and col.15, lines 29-37].

Regarding claim 51, Kimmel discloses the security network system for showing the presence of personnel having RFID tag by a RFID reader (1405), including number of people in each subspace or intruders (106,108) within a protected premises (3,19) at a real time location which can be seen on the display monitor (100,512,800) so rescue personnel would know in advance whether, in a building that is on fire, there were

people in a particular room so that the rescue personnel could direct their efforts to where they were actually needed [figs. 1,4-6,8,14, col.9, line 67 to col.10, line 30].

Regarding claims 56-57, Kimmel discloses the security network system (202,204,207) having CPU (402,502,602), memory device / hard disk (406,508,608) for storing and showing the presence of personnel having RFID tag by a RFID reader (1405), including number of people in each subspace or intruders (106,108) within a protected premises (3,19) at a real time location which can be seen on the display monitor (100,512,800) so rescue personnel would know in advance whether, in a building that is on fire, there were people in a particular room so that the rescue personnel could direct their efforts to where they were actually needed [figs. 1,4-6,8,14, col.9, line 33 to col.10, line 30].

Regarding claims 58 & 69, Kimmel discloses the remote security network system (204) having CPU (502), memory device / hard disk (508), keyboard and mouse (510, monitor (512) a local cache directory (516) for supporting graphic file as individual room layouts, floor plans [fig.5, col.9, line 58 to col.10, line 10 and col.17, lines 32-53]; and

Kimmel discloses the security panel (207) having CPU (602), program (612), inputs, video capture (16), memory device / hard disk (608) for storing and showing the presence of personnel having RFID tag by a RFID reader (1405), including number of people in each subspace or intruders (106,108) within a protected premises (3,19) at a real time location which can be seen on the display monitor (100) so rescue personnel would know in advance whether, in a building that is on fire, there were people in a

particular room so that the rescue personnel could direct their efforts to where they were actually needed [fig.6, col.10, lines 11-30].

Regarding claim 59, Kimmel discloses the remote security network system (204) having CPU (502), memory device / hard disk (508) for storing and showing the presence of personnel having RFID tag by a RFID reader (1405), including number of people in each subspace or intruders (106,108) within a protected premises (3,19) at a real time location which can be seen on the display monitor (100,512) so rescue personnel would know in advance whether, in a building that is on fire, there were people in a particular room so that the rescue personnel could direct their efforts to where they were actually needed [figs. 1,4-6, 14, col.9, line 58 to col.10, line 10 and col.17, lines 32-53].

Regarding claim 60, Kimmel discloses a security network system having a screen display (100,512,800) for providing assistance to emergency personnels as firefighters, polices, law enforcements to enter precise location or room numbers (3,19), area can be identified in a building (102), school to rescue people, individuals when fire or smoke or intruders (106,108), chemical is sensed in that monitored location [figs. 1,5,8,14, col.4, lines 30-39, and col.17, lines 9-27] comprising:

- detecting and tracking presence of personnel having RFID tag by a RFID reader (1405), including number of people in each subspace or intruders (106,108) within a protected premises (3,19) at a real time location which can be seen on the display monitor (100,512,800) so rescue personnel would know in advance whether, in a

building that is on fire, there were people in a particular room so that the rescue

personnel could direct their efforts to where they were actually needed [figs. 1,5,8,14,

col.4, lines 30-39, col.5, lines 7-24 and col.16, lines 35-41 and line 63 to col.17, line 27

];

- the security network system (202,204,207) having memory device / hard disk

(406,508,608) for storing and showing the presence of personnel having RFID tag by a

RFID reader (1405), including number of people in each subspace or intruders

(106,108) within a protected premises (3,19) at a real time location which can be seen

on the display monitor (512) so rescue personnel would know in advance whether, in a

building that is on fire, there were people in a particular room so that the rescue

personnel could direct their efforts to where they were actually needed [figs. 4,6, 14,

col.9, line 33 to col.10, line 30]; and

- subsequently detecting an imminently threat from fire or smoke or temperature, gas

and so on [col.3, lines 1-5 and col.5, lines 25-28] and displaying (100) the location of

personnels, individuals, people within protected area [col.4, lines 30-39, col.5, lines 7-

24 and col.16, line 63 to col.17, line 53].

Regarding claim 61, Kimmel discloses the security network having a screen display

(100,512,800) for providing assistance to emergency personnels as firefighters, polices,

law enforcements to enter precise location or room numbers (3,19), area can be

identified in a building (102), school to rescue people, individuals when fire or smoke or

temperature sensors (1301-1305), chemical is sensed in that monitored location are over the thresholds [fig.1,5,8,13, col.14, lines 13-22 and col.15, lines 29-37].

Regarding claim 62, Kimmel discloses the security network system for showing the presence of personnel having RFID tag by a RFID reader (1405), including number of people in each subspace or intruders (106,108) within a protected premises (3,19) at a real time location which can be seen on the display monitor (100) so rescue personnel would know in advance whether, in a building that is on fire, there were people in a particular room so that the rescue personnel could direct their efforts to where they were actually needed [figs. 4,6, 14, col.9, line 67 to col.10, line 30].

Regarding claims 67-68, Kimmel discloses the remote security network system (204) having CPU (502), memory device / hard disk (508) for storing and showing the presence of personnel having RFID tag by a RFID reader (1405), including number of people in each subspace or intruders (106,108) within a protected premises (3,19) at a real time location which can be seen on the display monitor (512) so rescue personnel would know in advance whether, in a building that is on fire, there were people in a particular room so that the rescue personnel could direct their efforts to where they were actually needed [figs. 4,6, 14, col.9, line 58 to col.10, line 10 and col.17, lines 32-53].

Regarding claim 70, Kimmel discloses the remote security network system (204) having CPU (502), memory device / hard disk (508) for storing and showing the presence of

personnel having RFID tag by a RFID reader (1405), including number of people in each subspace or intruders (106,108) within a protected premises (3,19) at a real time location which can be seen on the display monitor (512) so rescue personnel would know in advance whether, in a building that is on fire, there were people in a particular room so that the rescue personnel could direct their efforts to where they were actually needed [figs. 4-6, 14, col.9, line 58 to col.10, line 10 and col.17, lines 32-53].

Regarding claim 71, Kimmel discloses the security panel (207) having CPU (602), program (612), inputs, video capture (16), memory device / hard disk (608) for storing and showing the presence of personnel having RFID tag by a RFID reader (1405), including number of people in each subspace or intruders (106,108) within a protected premises (3,19) at a real time location which can be seen on the display monitor (100) so rescue personnel would know in advance whether, in a building that is on fire, there were people in a particular room so that the rescue personnel could direct their efforts to where they were actually needed [fig.6, col.10, lines 11-30].

Regarding claim 72, Kimmel discloses a system for providing assistance to emergency personnels as firefighters, polices, law enforcements to enter precise location or room numbers (3,19), area can be identified in a building (102), school to rescue people, individuals when fire or smoke or intruders (106,108), chemical is sensed in that monitored location which can be displayed on screen device (100) [figs. 1,14, col.4, lines 30-39, and col.17, lines 9-27] comprising:

- means for detecting and tracking presence of personnel having RFID tag by a RFID

reader (1405), including number of people in each subspace or intruders (106,108)

within a protected premises (3,19) at a real time location which can be seen on the

display monitor (100,512,800) so rescue personnel would know in advance whether, in

a building that is on fire, there were people in a particular room so that the rescue

personnel could direct their efforts to where they were actually needed [figs. 1,5,8,14,

col.4, lines 30-39, col.5, lines 7-24 and col.16, lines 35-41 and line 63 to col.17, line 27

];

- the security network having a screen display (100,512,800) for providing assistance to

emergency personnels as firefighters, polices, law enforcements to enter precise

location or room numbers (3,19), area can be identified in a building (102), school to

rescue people, individuals when fire or smoke or temperature sensors (1301-1305),

chemical is sensed in that monitored location are over the thresholds [fig.1,5,8,13,

col.14, lines 13-22 and col.15, lines 29-37];

- the security network system (202,204,207) having CPU (402,502,602), memory

device / hard disk (406,508,608) for storing and showing the presence of personnel

having RFID tag by a RFID reader (1405), including number of people in each subspace

or intruders (106,108) within a protected premises (3,19) at a real time location which

can be seen on the display monitor (100) so rescue personnel would know in advance

whether, in a building that is on fire, there were people in a particular room so that the

rescue personnel could direct their efforts to where they were actually needed [figs. 4,6,

14, col.9, line 33 to col.10, line 30];

- the security panel (207) having CPU (602), program (612), inputs, video capture (16),

memory device / hard disk (608) for storing and showing the presence of personnel

having RFID tag by a RFID reader (1405), including number of people in each subspace

or intruders (106,108) within a protected premises (3,19) at a real time location which

can be seen on the display monitor (100,512,800) so rescue personnel would know in

advance whether, in a building that is on fire, there were people in a particular room so

that the rescue personnel could direct their efforts to where they were actually needed [

figs.5-6, 8, col.10, lines 11-30].

Regarding claim 73, Kimmel discloses a method for providing assistance to emergency

personnels as firefighters, polices, law enforcements to enter precise location or room

numbers (3,19), area can be identified in a building (102), school to rescue people,

individuals when fire or smoke or intruders (106,108), chemical is sensed in that

monitored location which can be displayed on screen device (100) [figs. 1,14, col.4,

lines 30-39, and col.17, lines 9-27] comprising:

- means for detecting and tracking presence of personnel having RFID tag by a RFID

reader (1405), including number of people in each subspace or intruders (106,108)

within a protected premises (3,19) at a real time location which can be seen on the

display monitor (100,512,800) so rescue personnel would know in advance whether, in

a building that is on fire, there were people in a particular room so that the rescue

personnel could direct their efforts to where they were actually needed [figs. 1,5,8,14,

col.4, lines 30-39, col.5, lines 7-24 and col.16, lines 35-41 and line 63 to col.17, line 27

];

- the security network system (202,204,207) having memory device / hard disk

(406,508,608) for storing and showing the presence of personnel having RFID tag by a

RFID reader (1405), including number of people in each subspace or intruders

(106,108) within a protected premises (3,19) at a real time location which can be seen

on the display monitor (512) so rescue personnel would know in advance whether, in a

building that is on fire, there were people in a particular room so that the rescue

personnel could direct their efforts to where they were actually needed [figs. 4,6, 14,

col.9, line 33 to col.10, line 30]; and

- subsequently detecting an imminently threat from fire or smoke [col.3, lines 1-5 and

col.5, lines 25-28] and displaying (100) the location of personnels, individuals, people

within protected area [col.4, lines 30-39, col.5, lines 7-24 and col.16, line 63 to col.17,

line 53].

Regarding claims 74-76 & 78, Kimmel discloses the host computer (202), security panel

(207) having CPU (402,602), program (612), inputs, video capture (410,16), memory

device / hard disk (406,608) for storing and showing the presence of personnel having

RFID tag by a RFID reader (1405), including number of people in each subspace or

intruders (106,108) within a protected premises (3,19) at a real time location which can

be seen on the display monitor (100) so rescue personnel would know in advance

whether, in a building that is on fire, there were people in a particular room so that the

rescue personnel could direct their efforts to where they were actually needed [figs.4-6,col.9, lines 33-56 and col.10, lines 11-30].

Regarding claim 77, Kimmel discloses the security network having a screen display (100) for providing assistance to emergency personnels as firefighters, polices, law enforcements to enter precise location or room numbers (3,19), area can be identified in a building (102), school to rescue people, individuals when fire or smoke or temperature sensors (1301-1305), chemical is sensed in that monitored location are over the thresholds [fig.13, col.14, lines 13-22 and col.15, lines 29-37].

Claim Rejections - 35 USC § 103

7.　　The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8.　　Claims 44-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kimmel et al. (U.S. 6,917,288) in view of Wiemeyer (U.S. 5,726,633).

Regarding claims 44-45, The references of Kimmel does not specifically mention the detector includes ionization or photoelectric as claimed by the applicant.

However, Kimmel discloses the security network having a screen display (100) for providing assistance to emergency personnels as firefighters, polices, law enforcements to enter precise location or room numbers (3,19), area can be identified in a building (102), school to rescue people, individuals when fire or smoke or temperature sensors (1301-1305), chemical is sensed in that monitored location are over the thresholds [fig.13, col.14, lines 13-22 and col.15, lines 29-37].

Furthermore, Wiemeyer teaches smoke detector having ionization and photoelectric detectors for discrimination of fire types [col.1, lines 25-30 and line 40 to col.2, line 3].

Therefore, it would have been obvious to one having ordinary skill in the art to have the teaching of Wiemeyer in the system of Kimmel for detecting fire condition which take into account the characteristic of different types of fires.

Regarding claims 46-47, Wiemeyer teaches the smoke detector having ionization and photoelectric detectors for discrimination of fire types also mentions a function of fuzzy logic and Boolean logic for signal processing of outputs of tire or smoke sensors as improved performance [col.1, lines 25-54].

9.   Claims 49-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kimmel et al. (U.S. 6,917,288) in view of Addy (U.S. 6,084,522).

Regarding claims 49-50, The reference of Kimmel does not specifically mention the detector includes thermistors as claimed by the applicant.

However, Kimmel discloses the security network having a screen display (100) for providing assistance to emergency personnels as firefighters, polices, law enforcements to enter precise location or room numbers (3,19), area can be identified in a building (102), school to rescue people, individuals when fire or smoke or temperature sensors (1301-1305), chemical is sensed in that monitored location are over the thresholds [fig.13, col.14, lines 13-22 and col.15, lines 29-37].

Furthermore, Addy teaches temperature sensing wireless smoke detector by using thermistor device (T1) for monitoring the temperature level [fig.1, col.2, lines 45-52 and col.4, lines 31-32].

Therefore, it would have been obvious to one having ordinary skill in the art to utilize the teaching of Addy in the system of Kimmel for detecting & monitoring the high temperature level in the fire building.

10.   Claims 52-53 & 63-64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kimmel et al. (U.S. 6,917,288) in view of Hackett (U.S. 4,035,798).

Regarding claims 52-53 & 63-64, The reference of Kimmel does not specifically mention the detector includes ultrasonic and microwave as claimed by the applicant.

However, Kimmel discloses the security network having a screen display (100)

for providing assistance to emergency personnels as firefighters, polices, law

enforcements to enter precise location or room numbers (3,19), area can be identified in

a building (102), school to rescue people, individuals when fire or smoke or temperature

sensors (1301-1305), chemical is sensed in that monitored location are over the

thresholds [fig.13, col.14, lines 13-22 and col.15, lines 29-37].

Furthermore, Hackett teaches a frequency of ultrasonic or microwave can be

used in the detection system in the protected premises or building as desired [fig.1, col.

1, lines 56-63 and abstract].

Therefore, it would have been obvious to one having ordinary skill in the art to

employ the teaching of Hackett includes a frequency of ultrasonic or microwave in the

system of Kimmel for detecting person or object in the fire building.

11.   Claims 54-55 & 65-66 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Kimmel et al. (U.S. 6,917,288) in view of Katz et al. (U.S. 6,188,318).

Regarding claims 54-55 & 65-66, The reference of Kimmel does not specifically mention

. the detector includes both passive infrared and microwave sensors as claimed by the

applicant.

However, Kimmel discloses the security network having a screen display (100)

for providing assistance to emergency personnels as firefighters, polices, law

enforcements to enter precise location or room numbers (3,19), area can be identified in

a building (102), school to rescue people, individuals when fire or smoke or temperature

sensors (1301-1305), chemical is sensed in that monitored location are over the

thresholds [fig.13, col.14, lines 13-22 and col.15, lines 29-37].

Furthermore, Katz teaches a dual-sensing intrusion detection device which may

includes both passive infrared or microwave sensors can be used in the detection

system in the protected premises or building as desired [fig.1, col.4, lines 48-60, col.5,

lines 24-50 and abstract].

Therefore, it would have been obvious to one having ordinary skill in the art to

have the teaching of Katz in the system of Kimmel for sensing person & object in the fire

building by at least two frequency signals.

Arguments & Responses

12.   Applicant remarks that references as Wiemeye, Addy, Hackett & Katz can

not be combined for rejections.

Response to the Remarks:

Examiner believes that those skilled in the art will recognize that references as

Wiemeyer, Addy, Hackett, Katz and Kimmel can be combined for rejections all the

claims because they are all directed to the field of monitoring & tracking fire condition

inside the buildings, homes, schools, offices or shelters. Please refer to the combination

rejections above.

Conclusion

13.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

  -   Tabe (U.S. 6,762,686).

14.   Applicant 's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP §

706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR

1.136(a).

    A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1. 136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung T. Nguyen whose telephone number is (571) 272-2982. The examiner can normally be reached on Monday to Friday from 9:00 am to 6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Horabik, Michael can be reached on (571) 272-3068. The fax phone number for this Group is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

HUNG NGUYEN
PRIMARY EXAMINER

SPE # 2612, Mr. Horabik, Michael

Examiner. Nguyen, Hung T.

Date: Sept. 25, 2006

MICHAEL HORABIK
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600